

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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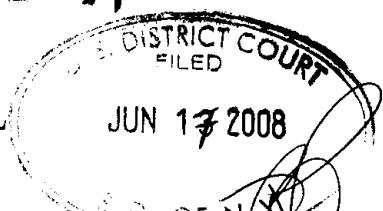
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Mantano

-v-

U.S.A.

U.S.C.A. # _____

U.S.D.C. # 08-cv-2447JUDGE: KMWDATE: June 17, 2008

INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME): THOMAS R. PISARCZYK
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DISTRICT COURT DOCKET ENTRIES _____

DOCUMENT DESCRIPTION DOC. #

CLERK'S CERTIFICATE _____

SEE ATTACHED LIST OF NUMBERED DOCUMENTS _____

() Original Record() Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
 for the Second Circuit on the 17th Day of June, 2008.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

U.S.C.A. #

Mantano

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U.S.D.C. # 08-cv-2447

JUDGE: KMW

DATE: June 17, 2008

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 6, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York,
this 1st Day of June In this year of our Lord, Two Thousand and Eight, and the Independence of
the United States this 232nd year.

J. Michael McMahon, Clerk

By

Deputy Clerk

APPEAL, CLOSED, PRO-SE

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:08-cv-02447-KMW
Internal Use Only

Mautauo v. United States of America
Assigned to: Judge Kimba M. Wood
Cause: 28:1361 Petition for Writ of Mandamus

Date Filed: 03/11/2008
Date Terminated: 05/19/2008
Jury Demand: None
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: U.S. Government Defendant

| Date Filed | # | Docket Text |
|------------|---|--|
| 03/11/2008 | 1 | COMPLAINT IN THE NATURE OF MANDAMUS against United States of America. Document filed by Antonio Aliva Mautauo, United States of America. (mbe) (Entered: 03/19/2008) |
| 03/11/2008 | | Magistrate Judge Andrew J. Peck is so designated. (mbe) (Entered: 03/19/2008) |
| 03/11/2008 | 2 | ORDER, plaintiff, pro se and incarcerated, filed the instant complaint without an application for leave to proceed in forma pauperis. On January 29, 2008, the Clerk's Office sent plaintiff a letter informing him that in two weeks he must submit an application for leave to proceed in forma pauperis. Plaintiff has not yet responded. The Clerk of the Court is directed to docket and file this action, and to assign a civil docket number to it. The Court grants plaintiff forty-five (45) days to comply with this order by submitting an application for leave to proceed in forma pauperis. No summons shall be issued at this time and all further proceedings shall be stayed for forty-five (45) days. If plaintiff fails to comply with this order within the time allowed, the complaint shall be dismissed. The Court certifies pursuant to 28 U.S.C. 1915 (a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 3/11/2008) (mbe) (Entered: 03/19/2008) |
| 04/01/2008 | 3 | MOTION to Proceed in forma pauperis. Document filed by Antonio Aliva Mautauo. (jmi) (Entered: 04/03/2008) |
| 05/19/2008 | 4 | CIVIL JUDGMENT, Pursuant to the order issued May 19, 2008 by the Honorable Kimba M. Wood, Chief Judge, dismissing the instant action, it is ORDERED, ADJUDGED AND DECREED: That the petition be and is hereby dismissed. 28 U.S.C. 1915(e)(2)(B)(ii). The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 05/19/08) (dt) (Entered: 05/20/2008) |
| 05/19/2008 | 5 | ORDER OF DISMISSAL: Affording the instant petition the close and sympathetic reading to which it is entitled, Haines v. Kerner, 404 U.S. 519, 520-21 (1972)(per curiam), it must nevertheless be dismissed. We certify pursuant to 28 U.S.C. 1915(a) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 5/19/2008) (jpo) (Entered: 05/20/2008) |
| 05/22/2008 | | Mailed notice of Right to Appeal to Pro Se Litigant(s): Antonio Aliva Mauzauo. (jab) (Entered: 05/22/2008) |
| 06/03/2008 | 6 | NOTICE OF APPEAL from 4 Judgment, 5 Order Dismissing Petition. Document filed by Antonio Aliva Mauzauo. Copies mailed to attorney(s) of record: A.U.S.A. (tp) (Entered: 06/13/2008) |
| 06/03/2008 | | Appeal Remark as to 6 Notice of Appeal filed by Antonio Aliva Mauzauo. \$455.00 APPEAL FEE DUE. IFP REVOKED 5/19/08. (tp) (Entered: 06/13/2008) |
| 06/03/2008 | | Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 6 Notice of Appeal. (tp) (Entered: 06/13/2008) |
| 06/13/2008 | | Transmission of Notice of Appeal to the District Judge re: 6 Notice of Appeal. (tp) (Entered: 06/13/2008) |